

Assemblyman  
**PAUL KORETZ**

**Forty-second Assembly District**

*proudly representing the communities of West Hollywood, Beverly Hills, Los Angeles, Century City, Westwood, Bel Air, Brentwood, West Los Angeles, Hollywood, Hancock Park, Universal City, Studio City, and Sherman Oaks*



**FOR IMMEDIATE RELEASE**  
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## **Assemblyman Koretz to the Adult Entertainment Industry: Use Condoms or Risk Legislative Action**

(Sacramento & Los Angeles) Today Assemblyman Paul Koretz (D-West Hollywood) sent a letter to publishers and producers in the adult entertainment industry urging them to require their models and performers to use condoms. The letter also strongly encourages other harm reduction strategies designed to protect those working in the industry as well as the public at large.

Included with the Koretz letter is a list of 13 harm reduction procedures designed to protect adult entertainment performers. Dr. Thomas Coates, professor of infectious diseases at the David Geffen School of Medicine at UCLA and a member of the UCLA AIDS Institute, developed the list. It includes the use of condoms for all non-oral sexual intercourse as well as twice monthly testing for HIV and monthly testing for gonorrhea, chlamydia, and syphilis.

“Somewhere between goggles and gloves and no protection at all is a reasonable set of disease prevention measures for the adult entertainment industry. The harm reduction procedures in my letter to the industry strike a balanced approach that both respects freedom of speech and provides a reasonable level protection for workers,” said Assemblyman Koretz.

As Chair of the Assembly Labor and Employment Committee, Koretz called a public hearing in Los Angeles last June to gather information on the topic and hear from government, industry, and health experts about how to better protect industry models and performers. Dr. Coates was among several witnesses offering suggestions at the hearing, where he presented an outline of harm-reduction recommendations.

“While the testing procedures employed by major film producers are useful for disease detection and containment, the recent HIV infections among performers underscore the fact that testing alone is an insufficient level of prevention. Using condoms for non-oral sexual intercourse is the first line of defense against sexually transmitted infections, but there are many other harm reduction strategies to be employed as well,” said Dr. Coates.

In April, Assemblyman Tim Leslie (R- Tahoe City) responded to the HIV infections in the industry with AB 2798, a bill that many in the legislature thought was hastily drafted and could have done more harm than good. It was Mr. Koretz’s motion in the Assembly Health Committee that referred the issue to further study.

**- more -**

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"Passing a law will not necessarily result in more condom use in the industry, particularly if the mandate is seen as unworkable and drives adult productions underground or out of state. However, failure to adopt the harm reduction strategies recommended by Dr. Coates would be, in my opinion, irresponsible and would invite the Legislature to exercise its authority to mandate more stringent actions," said Koretz.

In a separate letter to the Free Speech Coalition, an organization representing major adult film studios, Koretz called upon the industry group to incorporate the harm reduction procedures into their code of best practices.

"My objective is not to control the content of film or to otherwise compromise constitutional protections, but to protect the health and safety of performers. I believe that workers in the adult entertainment industry should be able to do their jobs without fearing that their health, and indeed their very lives, are at risk," said Koretz.

*To receive a copy of Dr. Coates' Harm Reduction Procedures for Adult Media Models and Performers, please send an email to [Assemblymember.Koretz@assembly.ca.gov](mailto:Assemblymember.Koretz@assembly.ca.gov) and state that you are over 18 years of age. You may also call our West Hollywood or Sacramento offices.*

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# Assembly California Legislature

PAUL KORETZ  
ASSEMBLYMEMBER, FORTY-SECOND DISTRICT

CHAIR, ASSEMBLY COMMITTEE ON  
LABOR AND EMPLOYMENT



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August 16, 2004

Dear Adult Entertainment Producer or Publisher:

As Chair of the Assembly Committee on Labor and Employment (Committee), I am vested with the responsibility to advocate for and oversee the regulation of the health and safety of California workers, including models and performers in the adult entertainment industry. As a long-time legislative leader on HIV/AIDS issues, I was disturbed by the recent HIV infections among adult film performers. These HIV transmissions sparked the introduction of legislation, AB 2798 (Leslie), and a series of private meetings and public hearings, including an informational hearing by my Committee.

Currently, much of the heterosexual film segment of the industry participates in a producer/performer sponsored testing program through the AIM Healthcare Foundation. While arguably not a perfect testing regime, AIM provides valuable services, and its administrator continues to make changes that will further protect performers and the general public. Without AIM, the industry and public may not have been informed about the recent infections in a timely manner, leading to an even more tragic HIV outbreak.

For the past few months I have heard testimony and reviewed information from public health officials, health experts, adult media producers, performers, and others. After reviewing the evidence, it is clear to me that despite its importance, testing is necessary but is not sufficient for prevention. I believe that the only method to effectively minimize the transmission of HIV and other sexually transmitted diseases is through the appropriate use of condoms in every film production, photo shoot, or internet performance featuring sexual intercourse.

The very nature of adult media production involves some risk of infection for models and performers. Overly stringent requirements may force some productions underground and place performers beyond the reach of workplace safety standards. Acknowledging this possibility, I do not believe it is advisable to require the industry to meet the standards employed in healthcare settings. However, there is a responsible level of harm reduction that must be employed to protect performers and models from potentially fatal hazards.

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Therefore, I strongly encourage and fully expect the adult entertainment industry to require the use of condoms for all performances of non-oral sexual intercourse, if they are not doing so already. This is a sensible request and failure to do so is, in my opinion, irresponsible and invites the Legislature to exercise its authority to mandate more stringent actions to protect public health and worker safety.

Attached to this letter is a list of harm reduction strategies that I strongly believe producers and publishers in the adult entertainment industry should implement as protective measures for their models and performers. These strategies were developed by Dr. Thomas Coates, Professor of Infectious Diseases at UCLA, and reflect what I feel are the best steps for the industry based on evidence and testimony I have gathered in my research on this topic. Adopting these strategies will greatly reduce the risk of HIV infection among performers. I strongly urge that the industry work with health experts and advocates to voluntarily implement these reasonable harm reduction strategies as a normal course of production.

While I see a legitimate role for government on this issue, a prompt voluntary response on the part of the industry is needed to ensure that we do not see another series of HIV infections among performers. Also of concern is the real risk of the industry becoming an infection source for the public at large. It is in the best interest of the industry, their performers, and the public for producers to respond with a comprehensive and consistent effort including a condom-only policy to reduce the risk of infection.

Models and performers in the adult entertainment industry deserve the same protections other working people in California are afforded through state law and regulation. My goal is not to control the content of film or to otherwise compromise constitutional protections, but to protect the health and safety of performers. Workers in your industry should be able to do their jobs without fearing that their health, and indeed their very lives, are at risk. I hope we share the same view that harm reduction is both politically advisable and necessary for a safe and healthy industry.

Thank you for taking the time to review and consider this letter. I invite you to respond with your thoughts on these issues, as well as any further suggestions you have to enhance workplace protections. In the coming months I will continue researching and discussing this issue with public officials as well as the industry in an attempt to ensure compliance with effective harm reduction strategies.

Sincerely,

PAUL KORETZ, Chair  
Assembly Committee on Labor and Employment